

a\*56-7-25

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 7, Part 25, requiring coverage for Phenylketonuria (PKU) Treatment and formulas.

WHEREAS, the general assembly finds that Phenylketonuria is a rare inherited genetic disorder; and

WHEREAS, Children with Phenylketonuria are unable to metabolize an essential amino acid, 1-Phenylalanine, which is found in the proteins of most foods; and

WHEREAS, To remain healthy, children with Phenylketonuria must maintain a strict diet and ingest a mineral and vitamin-enriched formula, and

WHEREAS, Children who do not maintain their diets with the formula develop severe mental and physical difficulties, and

WHEREAS, Originally, the formulas were listed as prescription drugs but have been reclassified as medical foods to increase their availability; and

WHEREAS, To mitigate the impact of this disorder on Tennessee's children it is necessary and desirable to require coverage for this disorder by certain health insurance policies; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated Title 56, Chapter 7, Part 25, is amended by adding the following as a new section:

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(a) Any individual, franchise, blanket or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society, or health maintenance organization which provides hospital expense and surgical expense insurance and which is delivered, issued for delivery, amended or renewed on or after July 1, 1 995, shall provide coverage for the treatment of Phenylketonuria.

(b) For the purposes of this section, "treatment" means licensed professional medical services under the supervision of a physician and those special dietary formulas which are medically necessary for the therapeutic treatment of Phenylketonuria.

SECTION 2. This act shall take effect July 1, 1995, the public welfare requiring it.